

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**LABORERS' PENSION FUND and )  
LABORERS' WELFARE FUND OF THE )  
HEALTH AND WELFARE DEPARTMENT )  
OF THE CONSTRUCTION AND GENERAL )  
LABORERS' DISTRICT COUNCIL OF )  
CHICAGO AND VICINITY, and JAMES S. )  
JORGENSEN, Administrator of the Funds, )  
Plaintiffs, )**

**v. )**

**ORLOWSKI CONSTRUCTION, INC., )  
a dissolved Illinois corporation, and )  
ORLOWSKI COMPANY, INC., an Illinois )  
corporation, and WESLEY J. ORLOWSKI, )  
f/k/a WIESLAW J. ORLOWSKI, individually, )  
Defendants. )**

**Case No. 08 C 35**

**Judge BUCKLO**

**JUDGMENT ORDER**

This matter having come to be heard on the Motion of Plaintiffs Laborers' Pension Fund, Laborers' Welfare Fund of the Health and Welfare Department of the Construction and General Laborers' District Council of Chicago and Vicinity, and James S. Jorgensen, Administrator of the Funds, (collectively "Funds"), for an Entry of Default Judgment against Defendants Orłowski Construction, Inc. and Orłowski Company, Inc., due notice having been given, and the Court being fully advised in the premises,

**IT IS HEREBY ORDERED THAT:**

1. Default judgment is hereby entered in favor of the Funds and against Defendants Orłowski Construction, Inc. and Orłowski Company, Inc., joint and severally, in the amount of \$200,591.43 as follows:

A. \$177,836.03 in delinquent contributions, liquidated damages, interest, and audit costs for the audit of Orłowski Construction,

Inc. for the period of August 1, 2006 through September 30, 2007, and accumulated liquidated damages on Orlowski Construction, Inc.'s late paid May through August, 2007 benefits reports;

B. \$16,867.45 in delinquent contributions, liquidated damages, interest, and audit costs for the audit of Orlowski Company, Inc. for the period of October 1, 2007 through December 31, 2007, and accumulated liquidated damages on Orlowski Company, Inc.'s late paid November, 2007 and January through March, 2008 benefits reports;

C. \$1,533.35 in delinquent dues contributions and liquidated damages on Orlowski Company, Inc.'s January through April, 2008 dues reports in the amount of \$1,533.35; and

D. \$4,354.60 in attorneys' fees and costs.

2. Defendant Orlowski Company, Inc. is a successor to, alter ego of, single employer with, Defendant Orlowski Construction, Inc., and therefore both are liable for each others' delinquent benefits and dues contributions to the Funds, including liquidated damages, interest, audit costs, and attorneys fees and costs.

3. Defendants Orlowski Construction, Inc. and Orlowski Company, Inc. are to pay post judgment interest on all amounts due from the date of judgment until the judgment is satisfied.

4. Count VI of the Complaint is dismissed without prejudice.

DATED: \_\_\_\_\_

ENTER: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Elaine E. Bucklo  
United States District Court Judge